

SEC. 520B. CONTACT OF ELIGIBLE MEMBERS FOR THE REVIEW AND CORRECTION OF MILITARY RECORDS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a search in accordance with subsection (b) to identify the current address of each former member of the Armed Forces who meets the following criteria:

(1) Served as a member of the Armed Forces on or after October 7, 2001.

(2) Was discharged with a service characterization that was less than honorable discharge, excluding a bad conduct discharge or dishonorable discharge.

(3) Has not received an upgrade of discharge to honorable discharge.

(b) RESOURCES TO CONDUCT SEARCH.—To identify the current addresses of former members of the Armed Forces who meet the criteria under subsection (a), the Secretary of Defense shall access public record databases, including—

(1) LexisNexis Public Records;

(2) PeopleMap on Thomson Reuters Westlaw;

(3) OPENOnline; and

(4) any other public record database as determined by the Secretary of Defense.

(c) CONTACT OF ELIGIBLE MEMBERS.—The Secretary of Defense shall—

(1) prepare a universal notice that includes—

(A) a description of the process for a former member to apply for a discharge upgrade or otherwise correct their military record;

(B) a list of resources through which a former member may receive assistance in completing or submitting the application;

(C) a summary of any recent statutory amendments and agency guidance that—

(i) require any board established under section 1552(a)(1) of title 10, United States Code, to grant liberal consideration to applications involving post-traumatic stress disorder, traumatic brain injury, military sexual trauma, and other behavioral health conditions; and

(ii) permit discharge upgrades to former members discharged under section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111-321);

(D) a description of the medical evidence that a former member may provide to a board to support an application, noting that such evidence may include—

(i) a medical diagnosis of post-traumatic stress disorder, traumatic brain injury, or other behavioral health issues;

(ii) documentation by a medical professional or licensed social worker of symptoms of post-traumatic stress disorder, traumatic brain injury, military sexual trauma, or other behavioral health issues; and

(iii) letters describing behavioral changes or symptoms of post-traumatic stress disorder, traumatic brain injury, and other behavioral health issues of the former member witnessed by family members of the former member or other individuals; and

(E) information on the process for a former member to obtain treatment or a medical health evaluations from the Department of Veterans Affairs; and

(2) take measures to provide the universal notice required under paragraph (1) to each former member of the Armed Forces who meets the criteria under subsection (a).

SA 4123. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year

2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, insert the following:

SEC. 318. ENERGY EFFICIENCY AND RESILIENCY TARGETS FOR DEPARTMENT OF DEFENSE DATA CENTERS.

(a) ENERGY EFFICIENCY AND RESILIENCY TARGETS FOR DATA CENTERS.—

(1) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2921. Energy efficiency and resiliency targets for data centers

“(a) COVERED DATA CENTERS.—(1) For each covered data center, the Secretary of Defense shall—

“(A) develop a power usage effectiveness target for the data center, based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices;

“(B) develop a water usage effectiveness target for the data center, based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices;

“(C) develop a resiliency target for the data center, based on location, industry standards, business continuity and disaster recovery, and best practices;

“(D) develop a facility availability target for the data center, based on location, industry standards, business continuity and disaster recovery, and best practices;

“(E) develop other energy efficiency or water usage targets for the data center based on industry standards, business continuity and disaster recovery, and best practices, as applicable to meet energy efficiency and resiliency goals;

“(F) identify potential renewable or clean energy resources, or related technologies such as advanced battery storage capacity, to enhance resiliency at the data center, including potential renewable or clean energy purchase targets based on the location of the data center; and

“(G) identify any statutory, regulatory, or policy barriers to meeting any target under any of subparagraphs (A) through (F).

“(2) In this subsection, the term ‘covered data center’ means a data center established before the date of the enactment of this section that—

“(A) is one of the 50 data centers of the Department of Defense with the highest annual power usage rates; or

“(B) is one of the 20 data centers operated for the Department by a private contractor with the highest annual power usage rates.

“(b) NEW DATA CENTERS.—(1)(A) Except as provided in paragraph (2), in the case of any data center of the Department established on or after the date of the enactment of this section, regardless of whether the data center is owned and operated by the Department or by a contractor on behalf of the Department, the Secretary shall establish energy, water usage, and resiliency-related standards that the data center shall be required to meet based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices.

“(B) Standards established under subparagraph (A) shall include—

“(i) power usage effectiveness standards;

“(ii) water usage effectiveness standards;

“(iii) resiliency standards;

“(iv) facility availability standards; and

“(v) any other energy or resiliency standards the Secretary determines are appropriate.

“(2) The Secretary may waive the requirement for a data center of the Department established on or after the date of the enactment of this section to meet the standards established under paragraph (1) if the Secretary—

“(A) determines that such waiver is in the national security interest of the United States; and

“(B) submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice of such waiver and the reasons for such waiver.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2920 the following new item:

“Sec. 2921. Energy efficiency and resiliency targets for data centers.”.

(b) INVENTORY OF DATA FACILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an inventory of all data centers owned or operated by the Department of Defense.

(2) ELEMENTS.—The inventory required under paragraph (1) shall include the following:

(A) A list of data centers owned or operated by the Department of Defense.

(B) For each such data center, the earlier of the following dates:

(i) The date on which the data center was established.

(ii) The date of the most recent capital investment in new power, cooling, or compute infrastructure at the data center.

(C) The total average annual power use, in kilowatts, for each such data center.

(D) The number of data centers that measure power usage effectiveness and for each such data center, the power usage effectiveness for the center.

(E) The number of data centers that measure water usage effectiveness and, for each such data center, the water usage effectiveness for the center.

(F) A description of any other existing energy efficiency or efficient water usage metrics used by any data center and the applicable measurements for any such center.

(G) An assessment of the facility resiliency of each data center, including redundant power and cooling facility infrastructure.

(H) Any other matters the Secretary determines are relevant.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the completion of the inventory required under subsection (b), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the inventory and the energy efficiency and resiliency targets under section 2921(a) of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include each of the following:

(A) A timeline of necessary actions required to meet the energy efficiency and resiliency targets for covered data centers under section 2921(a) of title 10, United States Code, as added by subsection (a).

(B) The estimated costs associated with meeting such targets.

(C) An assessment of the business case for meeting such targets, including any estimated savings in operational energy and water costs and estimated reduction in energy and water usage if the targets are met.

(D) An inventory of any data centers for which meeting such targets could more efficiently be achieved by transferring the workloads of such centers to private facilities, and a business case for meeting such targets in that manner.

(E) An analysis of any statutory, regulatory, or policy barriers to meeting such targets identified under section 2921(a)(E) of title 10, United States Code, as added by subsection (a).

(d) DATA CENTER DEFINED.—In this section, the term “data center” has the meaning given such term in the most recent Integrated Data Collection guidance of the Office of Management and Budget.

SA 4124. Mr. KING submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . FLIGHT INSTRUCTION OR TESTING.

(a) IN GENERAL.—An authorized flight instructor providing student instruction, flight instruction, or flight training shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(b) AUTHORIZED ADDITIONAL PILOTS.—An individual acting as an authorized additional pilot during Phase I flight testing of aircraft holding an experimental airworthiness certificate, in accordance with section 21.191 of title 14, Code of Federal Regulations, and meeting the requirements set forth in Federal Aviation Administration regulations and policy in effect as of the date of enactment of this section, shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(c) USE OF AIRCRAFT.—An individual who uses, causes to use, or authorizes to use aircraft for flights conducted under subsection (a) or (b) shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(d) REVISION OF RULES.—The requirements of this section shall become effective upon the date of enactment. The Administrator of the Federal Aviation Administration shall issue, revise, or repeal the rules, regulations, guidance, or procedures of the Federal Aviation Administration to conform to the requirements of this section.

SA 4125. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. MODIFICATION OF ESTABLISHMENT OF COORDINATOR FOR DETAINED ISIS MEMBERS AND RELEVANT DISPLACED POPULATIONS IN SYRIA.

Section 1224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1642) is amended—

(a) by striking subsection (a);

(b) by amending subsection (b) to read as follows:

“(a) DESIGNATION.—The President, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, and the Attorney General, shall designate an existing official to serve within the executive branch as senior-level coordinator to coordinate, in conjunction with other relevant agencies, all matters related to ISIS members who are in the custody of the Syrian Democratic Forces and other relevant displaced populations in Syria, including—

“(1) the long-term disposition of such individuals, including in all matters related to—

“(A) repatriation, transfer, prosecution, and intelligence-gathering;

“(B) all multilateral and international engagements led by the Department of State and other agencies that are related to the current and future handling, detention, and prosecution of such ISIS members, including such engagements with the International Criminal Police Organization; and

“(C) the coordination of the provision of technical and evidentiary assistance to foreign countries to aid in the successful prosecution of such ISIS members, as appropriate, in accordance with international humanitarian law and other internationally recognized human rights and rule of law standards;

“(2) all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, internally displaced persons and refugees at camps or facilities in Syria that hold family members of such ISIS members;

“(3) coordination with relevant agencies on matters described in this section; and

“(4) any other matter the Secretary of State considers relevant.”;

(c) in subsection (c), by striking “subsection (b)” and inserting “subsection (a)”;

(d) by amending subsection (d) to read as follows:

“(d) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once each year thereafter through January 31, 2024, the Coordinator, in coordination with the relevant agencies, shall submit to the appropriate committees of Congress a detailed report that includes the following:

“(A) A detailed description of the facilities where detained ISIS members described in paragraph (1) are being held, including security and management of such facilities and adherence to international humanitarian law standards.

“(B) A description of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, internally displaced persons and refugees at camps or facilities in Iraq, Syria, and any other area affected by ISIS activity, including a description of—

“(i) support for efforts by the Syrian Democratic Forces’ to facilitate the return of refugees from Iraq and Syria;

“(ii) repatriation efforts with respect to displaced women and children;

“(iii) any current or future potential threat to United States national security in-

terests posed by detained ISIS members, including an analysis of the Al-Hol camp and annexes; and

“(iv) United States Government plans and strategies to respond to any threat identified under clause (iii).

“(C) An analysis of all United States efforts to prosecute detained ISIS members and the outcomes of such efforts. Any information, the disclosure of which may violate Department of Justice policy or law, relating to a prosecution or investigation may be withheld from a report under this subsection.

“(D) A detailed description of any option to expedite prosecution of any detained ISIS member, including in a court of competent jurisdiction outside of the United States.

“(E) An analysis of factors on the ground in Syria and Iraq that may result in the unintended release of detained ISIS members, and an assessment of any measures available to mitigate such releases.

“(F) A detailed description of efforts to coordinate the disposition and security of detained ISIS members with other countries and international organizations, including the International Criminal Police Organization, to ensure secure chains of custody and locations of such ISIS members.

“(G) An analysis of the manner in which the United States Government communicates on such proposals and efforts to the families of United States citizens believed to be a victim of a criminal act by a detained ISIS member.

“(H) An analysis of all efforts between the United States and partner countries within the Global Coalition to Defeat ISIS or other countries to share intelligence or evidence that may aid in the prosecution of ISIS members, and any legal obstacles that may hinder such efforts.

“(I) Any other matter the Coordinator considers appropriate.

“(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.”;

(e) in subsection (e), by striking “January 31, 2021” and inserting “January 31, 2024”;

(f) in subsection (f)—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) COORDINATOR.—The term ‘Coordinator’ means the individual designated under subsection (a).”; and

(3) by adding at the end the following new paragraph:

“(4) RELEVANT AGENCIES.—The term ‘relevant agencies’ means—

“(A) the Department of State;

“(B) the Department of Defense;

“(C) the Department of the Treasury;

“(D) the Department of Justice;

“(E) the United States Agency for International Development;

“(F) the Office of the Director of National Intelligence; and

“(G) any other agency the President considers relevant.”; and

(g) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively.

SA 4126. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal